

Before the Board of Zoning Adjustment, D. C.

Application No. 11479, of Rekab, Inc., pursuant to Section 8207.11 of the Zoning Regulations, for a variance from the rear yard requirements as provided by Section 4303.12 of the Special Purpose District and pursuant to Section 8207.2 of the Zoning Regulations, permission to construct an addition to an existing office building as provided by Section 4101.42, at 1709 New York Avenue, N.W., Lot 40, Square 170.

HEARING DATE: November 14, 1973

EXECUTIVE SESSION: November 20, 1973

FINDINGS OF FACT:

1. The subject property is located in an SP District and is improved by an SP office building constructed with the approval of the Board in application No. 10558.

2. The purpose of this application is to permit the construction of a pedestrian bridge connecting two SP office buildings, namely, 1709 New York Avenue and 550 17th Street, N.W. The proposed bridge is at the 7th floor level, is 18 feet long, 8 feet wide and 11.5 feet high.

3. Because the bridge is technically in the rear yard it requires a variance from the rear yard addition and because it is an addition to an SP office building it requires approval of the Board under Section 4101.42.

4. The basis for the variance is the irregular shape of the lot upon which the premises 1709 New York Avenue, is constructed. In BZA Application No. 10558, the Board found that this same lot warranted a rear yard variance for the construction of the office building. (See Findings of Fact No. 7 in Order of 10558.)

5. The depth of the rear yard ranges from 10 feet to 40 feet and a rear yard of 4,196 square feet is required, including the gross floor area of the bridge proposed, the rear yard provided will be 5,173 square feet or significantly in excess of the required rear yard.

6. The total gross floor area provided, including the gross area of 154 square feet of the bridge is under the gross floor area permitted.

7. The pedestrian bridge will not be used for additional office space and is not a change from the previously approved office space area. Moreover, the bridge is not in view from either New York Avenue or 17th Street.

8. There has been no objection by the Department of Highway and Traffic.

9. The staff of the Zoning Division of the Office of Planning and Management submitted a report recommending that the special exception and variance be GRANTED as requested.

CONCLUSIONS OF LAW:

The Board concludes that the applicant has proven a hardship within the meaning of the variance clause because of the irregular shape of the lot. The Board is further of the opinion that a denial of the requested relief would result in peculiar and exceptional practical difficulties.

The Board holds that the requested relief can be granted without substantial detriment to the public good as embodied in the Zoning Plan and Maps because in no way does the variance violate the required rear yard area nor does the building exceed the gross floor area permitted.

ORDERED:

THAT THE ABOVE APPLICATION BE, GRANTED.

VOTE: 5-0

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT.

ATTESTED BY:

  
JAMES E. MILLER  
Secretary to the Board

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DEPARTMENT OF ECONOMIC DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.

FINAL DATE OF THIS ORDER: JAN 4 1974